

DISPOSITION: Between September 7 and November 22, 1943, J. Langrall & Bro., Inc., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

6736. Misbranding of canned peas. U. S. v. The Frederick City Packing Co. Plea of guilty. Fine, \$75 and costs. (F. D. C. No. 11374. Sample Nos. 35523-F, 46382-F, 46383-F.)

INFORMATION FILED: On March 7, 1944, in the District of Maryland, against the Frederick City Packing Co., a corporation, Frederick, Md.

ALLEGED SHIPMENT: From on or about July 24 to August 21, 1943, from the State of Maryland into the States of North Carolina and Virginia.

LABEL, IN PART: "Proclamation [or "Pride of the Valley"] Brand * * * Early June Peas."

VIOLATION CHARGED: Misbranding, Section 403(h)(1), in addition to the high alcohol-insoluble solids content, these peas were below standard because of the high percentage of ruptured peas.

DISPOSITION: May 25, 1944. The defendant having entered a plea of guilty, a fine of \$25 was imposed on each of 3 counts, a total fine of \$75, plus costs.

6737. Misbranding of canned peas. U. S. v. 94 Cases of Canned Peas (and 2 other seizure actions against canned peas). Decrees of condemnation. Two lots ordered released under bond; remaining lot ordered delivered to a charitable institution. (F. D. C. Nos. 10703, 10849, 11025. Sample Nos. 35522-F, 35833-F, 46367-F.)

LIBELS FILED: Between September 10 and December 6, 1943, Middle and Eastern Districts of North Carolina.

ALLEGED SHIPMENT: From on or about June 30 to July 2, 1943, by D. E. Foote & Co., Inc., from Baltimore, Md.

PRODUCT: Peas: 94 cases at Durham, N. C., 200 cases at Dunn, N. C., and 169 cases at Rocky Mount, N. C., each case containing 24 1-pound, 4-ounce cans.

LABEL, IN PART: (Cans) "Family Brand Early June Peas."

VIOLATION CHARGED: Misbranding, Section 403 (h) (1), in addition to the high alcohol-insoluble solids content of all the lots, the lots at Durham and Rocky Mount were below standard because of the high percentage of ruptured peas in the containers.

DISPOSITION: Between December 10, 1943, and January 21, 1944, D. E. Foote & Co., Inc., claimant for the Rocky Mount and Dunn, N. C., lots, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency. On February 9, 1944, no claimant having appeared for the Durham lot, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

6738. Misbranding of canned peas. U. S. v. 142 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 10388. Sample No. 46343-F.)

LIBEL FILED: August 17, 1943, Eastern District of North Carolina.

ALLEGED SHIPMENT: On or about June 30, 1943, by D. E. Foote & Co., Inc., Baltimore, Md.

PRODUCT: 142 cases, each containing 24 1-pound, 4-ounce cans, of peas at Henderson, N. C.

LABEL, IN PART: (Can) "Family Brand Early June Peas."

VIOLATIONS CHARGED: Misbranding, Section 403 (h) (1), in addition to the high alcohol-insoluble solids content, the peas were below standard because of the high percentage of ruptured peas in the container; and, Section 403 (h) (2), the product fell below the standard of fill of container.

DISPOSITION: November 2, 1943. D. E. Foote & Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.